



JOHN ENGLER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
CADILLAC DISTRICT OFFICE

WRS
GTCO



RUSSELL J. HARDING
DIRECTOR

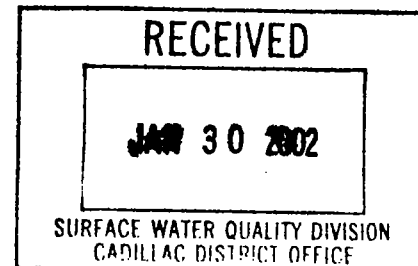
US EPA RECORDS CENTER REGION 5



523342

January 29, 2002

Mr. Chris Hubbel
Williamsburg Receiving and Storage
10190 Munro Road
Williamsburg, Michigan 48690



Dear Mr. Hubbel:

SUBJECT: Letter of Warning - Williamsburg Receiving and Storage

On January 11, 2002, Department of Environmental Quality (DEQ) staff received a complaint that Williamsburg Receiving and Storage (WRS) was burning solid waste in a dumpster on the WRS property, located on 10190 Munro Road in Grand Traverse County (Site). Staff of the DEQ drove to the Site and verified that waste, including a variety of construction and demolition waste, was burning in the dumpster.

The disposal of solid waste is regulated under Part 115, Solid Waste Management of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), MCL324.11101 *et seq.* The open burning of materials is also regulated under Part 55, Air Pollution Control of the NREPA.

As a result of the inspection, DEQ staff has determined that WRS is in violation of the NREPA. Specifically, staff found that the following requirements were not being met:

1. R 299.4128(3) under Part 115 of the NREPA states, "Open burning of solid waste is prohibited..." The burning of solid waste at the Site observed on January 11, 2002 is in violation of R 299.4128(3). Staff of the DEQ had previously observed the burning of solid waste at the Site on July 14, 2000. This violation was cited in a Letter of Warning issued August 11, 2000. On September 8, 2000, WRS responded through its legal counsel that a dumpster would be provided on the property for proper waste disposal.
2. Rule 336.1310 under Part 55 of the NREPA prohibits burning of refuse, garbage, or any other waste materials except by a residence, brush under a local burning permit, beekeeping equipment, or wood and charcoal for food preparation or recreation. The burning of solid waste at the Site observed on January 11, 2002, is in violation of R 336.1310.

To demonstrate compliance, you must respond to this letter by February 15, 2002, with documentation regarding actions taken to correct the above noted violations. The DEQ will evaluate your response, determine the facility's compliance status, and notify you of the findings. This letter does not preclude nor limit the DEQ's ability to initiate any other enforcement action, under state or federal law, as deemed appropriate.

If you have any questions, please contact me.

~~SECRET~~

Sincerely,



Philip Roycraft, District Supervisor
Waste Management Division
231-775-3960, Extension 6200

cc: Mr. Rick Rusz, WMD, Enforcement Section, Lansing
Mr. Shane Nixon, AQD, Cadillac District Office
~~Mr. Sy Paulk, SWOD, Cadillac District Office~~
Ms. Janice Heuer, WMD, Cadillac District Office